IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 808 OF 2006.
IN
CRIMINAL APPLICATION NO. 704 OF 2006.

Mrs.Kalpana Suresh Nerkar. ... Applicant.
Versus.
Suresh Shankar Nerkar & others. ... Respondents.

Shri Jagdish Chaudhary i/by Shri S.P.Kadam for the Applicant.

Shri U.V.Nikam, A.P.P. for the Respondent-State.

CORAM : ABHAY S.OKA, J.

DATED : 20th November, 2006.

P.C.:

1. Heard the learned Advocate for the Applicant and the learned A.P.P. for State. In view of the averments made in the Application, case is made out for restoration. The Application is allowed in terms of prayer clauses (b) and (c) subject to condition that the Applicant will serve private notice of Criminal Application No.704 of 2006 to the 1st Respondent returnable on 9th January 2007. The affidavit of service to be filed before returnable date. If service is not complete before the returnable date, Criminal Application no.704 of 2006 will stand dismissed for want of prosecution without further reference to the Court.

Judge.